

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

EIGHT MILE STYLE, LLC; MARTIN
AFFILIATED, LLC,

Plaintiffs,

v.

SPOTIFY USA INC., HARRY FOX
AGENCY, LLC

Defendants.

SPOTIFY USA INC.,

Third-Party Plaintiff,

v.

KOBALT MUSIC PUBLISHING
AMERICA, INC.,

Third-Party Defendant.

Civil Case No. 19-CV-00736

Hon. Aleta A. Trauger

JURY DEMAND

JOINT MOTION TO REPLACE DOCUMENTS WITH REDACTED VERSION

Plaintiffs Eight Mile Style, LLC, and Martin Affiliated, LLC (“Plaintiffs”) and Defendant Harry Fox Agency, LLC (“HFA”), by and through undersigned counsel, hereby respectfully request the Court remove Exhibits 22 and 23 to Plaintiffs’ Opposition to Defendant Spotify USA Inc.’s Motion for Protective Order Barring the Deposition of Daniel Ek (“Plaintiffs’ Opposition”), which appear at Docket Nos. 223.24 and 223.25, respectively, and replace them with the attached redacted versions.

In support of this Motion, Plaintiffs and HFA would show the Court that, on February 7, 2022, Plaintiffs filed, along with their Opposition, Exhibits 22 and 23 which were produced by HFA in this litigation. Although both exhibits were marked as “Confidential” under the terms of the operative

Protective Order in this case, Plaintiffs believed in good faith that neither exhibit contained any non-public, proprietary, or commercially sensitive information, and thus were properly publicly filed. On February 9, 2022, counsel for HFA emailed counsel for Plaintiffs requesting that the HFA-produced documents be put under seal. Since that day, counsel for both Parties have met and conferred further and have arrived at a mutually-agreeable redacted versions of Exhibits 22 and 23 which are: suitable for public filing, allow Plaintiffs to support their arguments in their Opposition, and protects information HFA has designated as Confidential.

Accordingly, Plaintiffs and HFA, respectfully request the Court remove Docket Nos. 223.24 and 223.25, and replace them with the attached redacted versions of Exhibits 22 and 23 to Plaintiffs' Opposition.

Dated: March 3, 2022

/s/ Drew Davis

Richard S. Busch (14594)
Andrew H. "Drew" Davis (034203)
Max D. Fabricant (38956)
KING & BALLOW
315 Union Street, Suite 1100
Nashville, TN 37201
Telephone: (615) 726-5532
Facsimile: (615) 726-5417
rbusch@kingballow.com
ddavis@kingballow.com
mfabricant@kingballow.com

Attorneys for Plaintiffs

/s/ Lauren Kilgore

Jacob T. Clabo, Esq.
Jay Scott Bowen, Esq.
Lauren E. Kilgore, Esq.
SHACKELFORD BOWSEN McKINLEY
& NORTON, LLP
1 Music Circle South, Suite 300
Nashville, Tennessee 37203
(615) 329-4440 (Telephone)
jclabo@shackelford.law
jbowl@shackelford.law
lkilgore@shackelford.law

Attorneys for the Harry Fox Agency, LLC

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on March 3, 2022, a copy of the Joint Motion was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

Aubrey B. Harwell III, Esq. (BPR #017394)
Marie T. Scott, Esq. (BPR # 032771)
NEAL & HARWELL, PLC
1201 Demonbreun Street
Suite 1000
Nashville, Tennessee 37203
(615) 244-1713 (Telephone)
(615) 726-0573 (Facsimile)
trey@nealharwell.com
msscott@nealharwell.com

Timothy L. Warnock, Esq. (BPR # 12844)
Keane A. Barger, Esq. (BPR # 33196)
RILEY WARNOCK & JACOBSON, PLC
1906 West End Avenue
Nashville, Tennessee 37203
Telephone: (615) 320-3700
twarnock@rwjplc.com
kbarger@rwjplc.com

Matthew D. Ingber, Esq. (*pro hac vice*)
Rory K. Schneider, Esq. (*pro hac vice*)
Allison Aviki, Esq. (*pro hac vice*)
MAYER BROWN LLP
1221 Avenue of the Americas
New York, New York 10020
(212) 506-2500 (Telephone)
(212) 262-1910 (Facsimile)
mingber@mayerbrown.com
rschneider@mayerbrown.com

Andrew J. Pincus, Esq. (*pro hac vice*)
Archis A. Parasharami, Esq. (*pro hac vice*)
MAYER BROWN LLP
1999 K Street, N.W.
Washington, District of Columbia 20006
(202) 263-3328 (Telephone)
apincus@mayerbrown.com
aparasharami@mayerbrown.com

Kathleen M. Sullivan, Esq. (*pro hac vice*)
Carey R. Ramos, Esq. (*pro hac vice*)
Cory Struble, Esq. (*pro hac vice*)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
51 Madison Avenue
22nd Floor
New York, New York 10010
(212) 895-2500 (Telephone)
kathleensullivan@quinnemanuel.com
careyramos@quinnemanuel.com
corystruble@quinnemanuel.com

Thomas C. Rubin, Esq. (*pro hac vice*)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
600 University Street
Suite 2800
Seattle, Washington 98101
(206) 905-7000 (Telephone)
tomrubin@quinnemanuel.com

Allison L. Stillman, Esq. (*pro hac vice*)
LATHAM & WATKINS, LLP

Brian D. Caplan, Esq. (*pro hac vice*)
Robert W. Clarida, Esq. (*pro hac vice*)

1271 Avenue of the Americas
New York, New York 10020
(212) 906-1200 (Telephone)
alli.stillman@lw.com
*Attorneys for Defendant and Third-Party
Plaintiff Spotify USA, Inc.*

Julie Wlodinguer, Esq. (*pro hac vice*)
REITLER KAILAS & ROSENBLATT LLC
885 Third Avenue
20th Floor
New York, New York 10022
(212) 209-3050 (Telephone)
bcaplan@reitlerlaw.com
rclarida@reitlerlaw.com
*Attorneys for Third-Party Defendant
Kobalt Music Publishing America, Inc.*

Mark H. Wildasin, Esq.
Kara F. Sweet, Esq.
U.S. ATTORNEY'S OFFICE (Nashville)
MIDDLE DISTRICT OF TENNESSEE
110 Ninth Avenue
Suite A-961
Nashville, Tennessee 37203
(615) 736-2079 (Telephone)
mark.wildasin@usdoj.gov
kara.sweet@usdoj.gov
*Attorneys for Interested Party, United States of
America*

Rachel Elizabeth Epstein, Esq.
Mario G. Gazzola, Esq.
QUINN, EMANUEL, URQUHART
& SULLIVAN, LLP
51 Madison Avenue
22nd Floor
New York, New York 10010
(212) 849-7000 (Telephone)
(212) 849-7100 (Facsimile)
rachelepstein@quinnemanuel.com
mariogazzola@quinnemanuel.com

James Franklin Blumstein, Esq.
VANDERBILT LEGAL CLINIC,
VANDERBILT LAW SCHOOL
132 21st Avenue South
Nashville, Tennessee 37203
(615) 322-4964 (Telephone)
(615) 322-6631 (Facsimile)
james.blumstein@vanderbilt.edu

Jacob T. Clabo, Esq.
Jay Scott Bowen, Esq.
Lauren E. Kilgore, Esq.
SHACKELFORD BOWSEN McKINLEY
& NORTON, LLP
1 Music Circle South
Suite 300
Nashville, Tennessee 37203
(615) 329-4440 (Telephone)
jclabo@shackelford.law
jbowen@shackelford.law
lkilgore@shackelford.law

Chris M. LaRocco, Esq.
Matias Gallego-Manzano, Esq.
BRYAN CAVE LEIGHTON PAISNER LLP
1290 Avenue of the Americas
New York, New York 10104
(212) 541-2000 (Telephone)
Chris.larocco@bclplaw.com
Matias.gallego-manzano@bclplaw.com

/s/ Drew Davis